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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

AIMEE SHEMANO-KRUPP,

Plaintiff,

No. C 05-04693 JSW

v.

MUTUAL OF OMAHA INSURANCE
COMPANY, et al.,

Defendants.

**NOTICE OF QUESTIONS RE
MOTION FOR SUMMARY
JUDGMENT**

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD, PLEASE TAKE
NOTICE OF THE FOLLOWING QUESTIONS FOR THE HEARING SCHEDULED ON
NOVEMBER 30, 2007 AT 9:00 A.M.:

The Court has reviewed the parties' papers and, thus, does not wish to hear the parties
reargue matters addressed in those pleadings. If the parties intend to rely on authorities not
cited in their briefs, they are ORDERED to notify the Court and opposing counsel of these
authorities reasonably in advance of the hearing and to make copies available at the hearing. If
the parties submit such additional authorities, they are ORDERED to submit the citations to the
authorities only, without argument or additional briefing. *Cf.* N.D. Civil Local Rule 7-3(d).
The parties will be given the opportunity at oral argument to explain their reliance on such
authority.

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The parties shall have 10 minutes to address the following questions:

1. What is the relevant time frame for the ERISA preemption analysis: is it the time of Mr. Shemano's death or the time of Mr. Benard's alleged representations regarding the policy's conversion provisions? What authority supports either party's assessment of the relevant time frame?
2. Do the parties have anything further they wish to address?

IT IS SO ORDERED.

Dated: November 27, 2007



JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE